

Early Education And Childcare Annual Provider Agreement Form

To be completed by the All Providers claiming funding. Please use **BLOCK CAPITALS**.

Please complete and email back to Families Information Service fis@harrow.gov.uk

Name Of Provider	
Provider Postcode	
Date	

All providers **must** adhere to the terms of the [Provider Handbook](#). This also forms part of the terms and conditions of this Provider Agreement.

To Harrow Council:

1. I/We confirm that the Provider acts as agent for the Parents of the Child or Children for whom we will submit claims for Early Education and Childcare Funding.
2. We agree to use London Borough of Harrow's Provider Portal to ensure children claiming funding in the setting are accurately recorded and submitted within the term submission dates. Adjustments and amendments can be sent by direct submission to fis@harrow.gov.uk, these are authorised on a case-by-case basis.
3. I have the authority to sign this Form on behalf of the Provider.
4. The Provider confirms that parent declaration forms have been submitted for the children in the setting and will record the information submitted on the provider portal. The application form should be retained in line with audit retention requirements.
5. The provider warrants the truth and accuracy of the information and evidence. If the claims we make are not accurate or truthful, then we are aware that any overpayments or payments made as a result of mistake or fraud will be recoverable by the Council as a civil debt from the Provider, not just from the Child's Parent/s.
6. I have read the Provider Handbook and have ensured that my fellow Directors and the Company Secretary and Company staff are aware of its requirements (where applicable). I understand and agree that I and the Provider Company is bound to observe the terms of the Handbook and that those terms and conditions are incorporated by reference into this Provider Agreement Form. I/We agree to comply with them. I understand that in the event of a fraudulent claim I and my fellow Directors may be personally liable for the return of the defrauded funds.
7. I/We agree to expressly notify each parent on behalf of whom I/We submit a claim for Early Education and Childcare funding either personally or through our Staff of the following:
 - the [Provider Handbook](#) and the terms within it as published (particularly those referred to below); and
 - the nature of the offer and admissions criteria available to parents at the point a child first accesses provision at their setting; and
 - funding arrangements as described in the Provider; and
 - those eligibility criteria for funding; and
 - those Charging Guidelines; and
 - the consequences of making a fraudulent claim; and

- information about to whom to complain.
8. I confirm that the Provider is responsible for gathering and submitting evidence in support of each claim for Early Education and Childcare funding as required in the parent's declaration form and any other evidence that Harrow Council or its Auditors require of me/us both during and after the claim ends.
 9. I confirm that the Provider has read the privacy notice below and agrees to comply with the requirement set out within the notice.

Privacy Notice: Service Provider

At Harrow Council we take privacy of data seriously.

This privacy notice tells you who we are and how you can contact us, our lawful basis and the purposes for processing children's personal information within your service. The notice explains our retention periods, who it will be shared with and your rights on how we process the data.

Purpose

We hold information about children following consent managed by your service with the child's parent or guardian. The information is used to provide early education and childcare funding (further information can be found at www.childcarechoices.gov.uk). Registered Ofsted providers can provide early years services for children in London Borough of Harrow under the Early Years Foundation Stage Statutory Framework (EYFS) which sets standards for the learning, development and care of children from birth to 5 years old.

London Borough of Harrow requires the information to assist the child to receive their Early Education and Childcare Entitlement which is distributed to the chosen provider. This sharing agreement will be on a joint controller basis, although we will always ask if we can use the information for a purpose not stated in this agreement.

Information is stored and may be used for the prevention and detection of fraud and or criminal offences and or complying with another law such as the Health and Safety Act 1974.

Types of information to be shared

The information that will be shared includes:

- Child's personal information such as name, address, photograph date of birth
- Name, address, ID or descriptions/photos of parents or guardians for the purpose of identification including national insurance numbers if required for the purpose stated
- Characteristics, such as ethnicity, language, nationality, country of birth and pupil premium eligibility
- Medical information, for incident response or as part of the 2 year check
- Special educational needs information, whether on an EHC plan or support
- Assessment information, such as the 2 year old progress check, and the EYFS profile outcomes at the end of the Reception year
- Transition Document, information when transitioning to other providers or school
- Bank account details, payroll record and tax status information
- Provider locations, business addresses or physical provider settings
- Correspondence relating to the child.

Sharing with third parties

We will share information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legal obligation or public task processing conditions. Third parties can be the Department for Education, HMRC, Quality Care Commission, OFSTED and other departments within Harrow Council or contractors and designated agents.

Security of information

We will only share information with or from Providers using a secure transfer method. Providers must email Harrow Council using a secure email solution. The council agrees to securely hold parent/carer/children’s data in accordance with our [Information Governance and Security Policy](#) and data retention policy.

Confidentiality and Incident Management

The provider agrees to ensure that confidentiality is observed throughout the lifecycle of the data being held on the child in their service.

The providers will ensure that all staff will have a responsibility to report immediately any security incident or weakness they observe to their manager. Staff should not try to deal with any such incidents personally. All managers have a responsibility to take immediate and appropriate action to respond to all security reports they receive from staff.

Each of the Parties will inform the other immediately of any incidents or activities that suggest non-compliance with any of the terms of the sharing agreement. This includes ‘near miss’ situations even if no actual damage to or loss or inappropriate disclosure of the information results.

If a data breach or incident did occur, the responsible Party will also notify the other Party within 24 hours of becoming aware of the breach and support the other party to consider what steps should be taken to remediate the incident, and or report the incidence within 72 hours of becoming aware of the breach.

How long we store the information for

We retain children’s data relating to service provision for 25 years from the date Harrow Council received the information. This is for record purposes and to deal with any enquiries or complaints during this period. After the retention period expires, we will delete the information held unless there is a basis in law to retain data for a longer period. If this occurs, we will contact you and the parent or guardian of the child to make you aware of this.

Right to complain or receive further information

Please contact us if you would like to know more about the information, we hold about you and how we use it: email fis@harrow.gov.uk

You have a right to complain to us if you think we have not complied with our obligation for handling your personal information; please visit our [Compliments and Complaints](#) page.

If you are not satisfied with the Council’s response you have a right to complain to the Information Commissioner’s Office (ICO). You can [report a concern by visiting the ICO website](#).

Name of the person completing this form	
Signature	